

**THURSDAY, MARCH 9, 2006**

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of March 9, 2006 together with the maps and staff reports attached thereto and incorporated therein by reference.

**PRESENT:** Commissioners Sarah Christie, Bruce Gibson, Penny Rappa, Bob Roos and Chairperson Gene Mehlschau

**ABSENT:**

PLEDGE OF ALLEGIANCE TO THE FLAG LED BY CHAIRPERSON MEHLSCHAU.

**Public Comment:** This is the time set for members of the public wishing to address the Commission on matters other than scheduled items.

**Eric Greening:** Board of Supervisors gave direction to include funds in the 2006-2007 Budget to work on the update of the conservation element. Mr. Holanda, Planning Director, commented at the Board of Supervisors Strategic Planning on February 14, 2006 that planning has begun work on the element. Expertise is needed regarding cultural and biological resources.

#### **Staff Updates**

**Warren Hoag:** Planning Staff, states the Planning Commission hearing of April 13, 2006 is canceled. Will schedule study sessions for future dates.

**John Euphrat:** Planning Staff, states we are proposing to update the conservation element of the general plan. States he concurs with Eric Greening regarding the specialist and hope they get volunteers to assist with the process in July or August of this year. States it will take 3 to 4 years to accomplish the update.

**Commissioner Rappa:** asks how an advisory committee would be established?

**John Euphrat:** Planning Staff, states the Planning Department would go through the Board of Supervisors to establish the committee. They would run a public notice asking for volunteers.

**Commissioner Gibson:** requests planning department use the expertise of the cities that have finished the conservation element update.

**Warren Hoag:** Planning Staff, discusses updated matrix. Commission to give staff direction how to proceed on prioritizing, implementing and scheduling the existing and new study session.

**Commissioner Roos:** Discusses his priority list. 1) Groundwater Recharge 2) Fire Safety Standards 3) Dark Sky Standards 4) Environmental Review 5) Wind Energy Conversion Facilities (WECF'S) 6) effectiveness of existing agricultural land preservation policies 7) 2<sup>nd</sup> bullet in Groundwater Recharge 8) 2<sup>nd</sup> bullet in Design Review 9) 3<sup>rd</sup> bullet in Design Review 10) General Plan Conformity Report Process 11) land division time extensions.

**Commissioner Gibson:** discusses his priority list: 1) Environmental Review Process 2) effectiveness of existing agricultural land preservation policies 3) Apartment Conversions and Mobilehome Park Conversions 4) TDC's.

**Commissioner Rappa:** some could be combined such as the General Plan Conformity Report Process and Substantial Conformity Determinations. Requests the removal of the issues once they are finished. States one of the study issues would be the conversion application as it relates to affordable housing. Also combine the effectiveness of existing agricultural land preservation policies with TDC's. She states it would be helpful to have a study session regarding the Groundwater Recharge.

**Chairperson Mehlschau:** would like the issues that can be accomplished quickly put on first and work on them now. Issues that are harder put them at the end so that the commission can get through the issues and not get slowed down.

**Commissioner Christie:** states it was her understanding that the possible letter to the Board of Supervisors on policy for responsible agency handling of EIR's was not a study session item but an agenda item.

**Warren Hoag:** Planning Staff, states that item is docketed for March 23, 2006.

**Commissioner Christie:** gives her list: 1) effectiveness of existing agricultural land preservation policies 2) land division time extensions 3) Apartment Conversion 4) Environmental Review Process 5) Groundwater Recharge.

**Commissioner Roos:** states he agrees with Chairman Mehlschau to work on the easier issues and that the Groundwater Recharge might be an easy issue.

**Warren Hoag:** Planning Staff, states April 27 and May 25 has been scheduled for study sessions. Fire Safety Standards will be on the first date. The effectiveness of existing agricultural land preservation policies will not be ready by April or May. Will give regular reports during Staff Updates.

**Commissioner Rappa:** requests the commissioners receive information before the study sessions.

**Eric Greening:** likes where this is going. Agrees with Commissioner Rappa's suggestion that the information be distributed in advance. Groundwater recharge is a high priority. Adapting to SB18 regarding cultural resources, and study session on open space policies and how to implement it.

**Warren Hoag:** Planning Staff, gives update regarding the Planning Commission retreat in January on word changes to the Policies and Procedures of Planning Commission. The changes will be brought back as an agenda item next month.

#### **CONSENT AGENDA:**

- a. Determination of conformity with the General Plan for the sale of a 1-acre surplus property in a public auction. The project is located on the north side of Reindeer Place, approximately 1 mile west of Ground Squirrel Hollow Road, approximately 2.5 miles southwest of the community of Whitley Gardens, in the El Pomar/ Estrella planning area. County File No: DTM2005-00001. Assessor Parcel Number: 015-143-014. Supervisorial District: 1.

**Josh LeBombard:** Planning Staff, states this item is for the commissioners to receive and file.

**Commissioner Gibson:** asks what the commissioner's options are. Do they need to receive and file this item?

**Jim Orton:** states there is a transmittal letter that went with this project that is in the commissioner's staff report.

**Commissioner Gibson:** this will go to the Board of Supervisors. He questions sale of parcel, given the need to mitigate the loss of San Joaquin Kit Fox habitat. States the lot does not meet conformity with the general plan.

**Commissioner Christie:** asks if this lot can be retired because it is an antiquated lot and is inconsistent with the General Plan. Can this lot be offered for sale to an adjacent landowner?

**Jim Orton:** County Counsel, states the county does have the option not to sell the property.

**Kami Griffin:** Planning Staff, states the lot was legally created and surrounded by other 1-acre lots. The Board of Supervisors makes the decision. We cannot mandate that the county offer the lot to adjacent landowners.

**Linda Van Fleet:** General Services, states they have offered the lot to the adjacent landowner and states he is interested in the parcel as a stand-alone lot. We have not offered it to the other landowners. They will only offer the lot to other adjacent landowners when directed by Board of Supervisors. The county acquired the lot by tax default in the 1980's.

**Commissioner Christie:** states they should not receive and file this project. Ground Squirrel Hollow, where this parcel is located, is a problem. The item should be continued until there is a change in the general plan policy to deal with this concern.

**Commissioner Gibson:** asks if the only path is to auction this parcel?

**Linda Van Fleet:** General Services responds that it is part of the budget item for this year. States they can try to sell to an adjacent landowner.

**Commissioner Gibson:** states he would suggest the commission not receive and file this project because it is not in conformity with the general plan. The lot should be offered to adjacent landowners.

**Commissioner Roos:** states all the commission can do is receive and file. States it does make sense to merge the lot with adjacent landowners.

**Commissioner Gibson:** asks County Counsel if they can make a motion that this parcel is not in conformity with the General Plan, and that the report will not be received and filed.

**Jim Orton:** County Counsel, responds it is the job of the Planning Director to decide if this project meets General Plan conformity. Commission does not have the authority to find that it is not in conformity with the General Plan. You could send a letter to the Board of Supervisors explaining your concerns. He states planning puts the item on the agenda after the determination has been made to allow public input when the Board of Supervisors make the decision to dispose of the property or not.

**Chairman Mehlschau:** asks if there are other lots of this size that have been developed.

**Kami Griffin:** Planning Staff, responding yes, there are other lots of this size that have been developed in this subdivision.

**Eric Greening:** asks how a project like this is published and when does the forty days start? States he was on the ad hoc community that over saw the updating of the El Pomar area plan and does not remember being told they had the option to amend the process to give adjacent landowners the first offer for antiquated lots.

**Warren Hoag:** Planning Staff, states antiquated subdivisions were discussed thoroughly during the update and it was decided to leave as is. Staff was not aware of the lots in that part of the county.

**Thereafter, on motion of Commissioner Roos, seconded by Commissioner Rappa and on the following roll call vote:**

**AYES:** Commissioners Roos, Rappa, Gibson and Chairperson Mehlschau  
**NOES:** Commissioner Christie  
**ABSENT:**

**the commission receives and files Consent Agenda Item A as recommended by the Planning Department and will send a recommendation to the Board of Supervisors stating this parcel be designated unbuildable because its net acreage is less than one acre and it be sold to an adjacent property owner for future merger.**

1. This is the time set for hearing to consider a request by **EDA/COLIN WEYRICK** for a Vesting Tentative Tract Map (Tract2710) to subdivide an existing 5.28 acre parcel into 21 residential lots ranging from 6,000 to 10,212 square feet and one 28,965 square foot Industrial parcel for the purpose of sale and/or development. The project includes off-site road improvements to 11th Street and proposed "A" Street. The project will result in the disturbance of the entire 5.28-acre parcel. The division will create two on-site roads. Road names have not yet been proposed. The proposed project is within the Residential Single Family and the Industrial land use categories and is located at the southeast corner of 11th Street and the Southern Pacific Railroad tracks in the community of San Miguel. The site is in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 19, 2006 for this project. Mitigation measures are proposed to address air quality, biological resources, cultural resources, hazardous materials, noise, and transportation and are included as conditions of approval. **County File Number: SUB2004-00331.** Assessor Parcel Numbers: 021-141-003, 021-221-009, 021-241-008, and 021-241-021. Supervisorial District: 1. Date Accepted: September 13, 2005.

**Josh LeBombard:** Planning Staff, requests continuance to the May 25, 2006 Planning Commission agenda to allow staff time to respond to the letter received with questions regarding the Mitigated Negative Declaration.

**Dave Broadwater:** comments on his concerns with the cadmium found on this parcel. Would like an endangerment assessment conducted.

**Eric Greening:** suggest the study be performed before the next hearing.

**Allan Volbrecht:** is in support of this project. Will be back at the May 25, 2006 Planning Commission hearing.

**Andrew Christie:** Chapter Coordinator for the Sierra Club, concerned with staff report and study. Requests an EIR be required.

**The matter is further discussed, and thereafter, on motion of Commissioner Roos, seconded by Commissioner Gibson, and on the following roll call vote:**

**AYES:** Commissioners Roos, Gibson, Christie, Rappa, and Chairperson Mehlschau

**NOES:**

**ABSENT:**

**The commission continues this item to May 25, 2006 Planning Commission hearing to allow staff time to respond to the concerns contained in letter received from the public.**

#### **COMMISSIONER ROOS IS NOW ABSENT**

2. This is the time set for hearing to consider a request by **FLING TRAYLOR** for a Third Time Extension to allow: 1) the conversion of an existing barn into an 3,960 square foot winery, 2) convert a 4,000 square foot agricultural building into a four unit bed and breakfast facility, 3) replace an existing single family residence with a new residence to serve as a bed and breakfast and care taking facility, 4) construct a new 1,800 square foot building to house a wine tasting room and a 400 square foot accessory restaurant, 5) hold up to 30 events per year with up to 100 people per event, 6) to modify the land use ordinance standards to allow a bed and breakfast to occupy two buildings instead of a single building and to allow a gravel parking lot instead of a chip seal surface parking lot. All building has been completed except the conversion of a 4,000 square foot agricultural building into a four-unit bed and breakfast facility. This project is in Agriculture Land Use Category and is located on Highway 101 between Wellsona and San Miguel. The site is located in the Salinas River planning area. The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted. **County File No: D0100031D.** Assessor Parcel Number: 027-145-025. Supervisorial District: 1. Date Accepted: Not applicable.

**Elizabeth Kavanaugh:** Planning Staff, gives staff report and shows overhead of the project. States there was an error in the wine tasting building that set this project back months.

**Commissioner Gibson:** asks if the standards regarding 30 events a year will be kept the same, with staff responding.

**Fling Traylor:** owner, states he is here to answer questions. Had additional problem with the State of California with the left hand turn lane that delayed his project.

**The matter is further discussed, and thereafter, on motion of Commissioner Rappa, seconded by Commissioner Christie, and on the following roll call vote:**

**AYES:** Commissioners Rappa, Christie, Gibson, and Chairperson Mehlschau

**NOES:**

**ABSENT:** Commissioner Roos

**the commission approves the third time extension for Development Plan D010031D to FLING TRAYLOR, to be valid until September 27, 2006 based on Findings in Exhibit A.**

3. This is the time set for hearing to consider a request by **TOM DAVIS** for a Variance / Coastal Development Permit to allow grading on slopes in excess of 30 percent for development of an

approximately 3,825 square-foot, three-story single family dwelling, including an approximately 950 square-foot garage/workshop on the lower level, plus decks. The project will result in the disturbance of approximately 3,000 square feet of an approximately 3,600 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located on the southeast side of Chaney Avenue (510 Chaney Avenue), approximately 250 feet northeast of Gilbert Avenue, in the community of Cayucos. The site is in the Estero planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on February 2, 2006 for this project. Mitigation measures are proposed to address agricultural resources, air quality, and geology, and are included as conditions of approval. **County File No: DRC2003-00062.** Assessor Parcel Number: 064,404,011. Supervisorial District: 2. Date Accepted: December 6, 2005.

**Mike Wulkan:** Planning Staff, gives staff report and shows overhead of the project. States staff recommends approval.

**Commissioner Gibson:** discusses Cayucos Advisory's concern regarding health and safety. He asks about independent review of the Geotechnical issues, with Mr. Wulkan responding they had a recommendation to require additional boring on site, and that was done.

**Commissioner Gibson:** asks if the County geologist reviewed this project, with staff responding yes. He discusses drainage improvements. He asks if the county can request the builder have the water retained on site? Has a concern with the design of this project. Wants the size of the project limited to 50% of the lot. Has a concern with the big blank wall on the east elevation view.

**Richard Marshall:** we use the water retention on site in other parts of the county. The storm drain is part of the road improvements. States Public Works does not require on site water retention on developments of this size.

**Commissioner Christie:** if we have a standard that states no building on 30% slopes why are we allowing this, with staff responding. She asks if they can deny a variance and not allow them to build. She discusses page 3-6 referring to the height limit without use of articulation or other means to break up the building mass. Discusses page 3-11 regarding lot consolidation.

**Mike Wulkan:** Planning Staff, states the lots should be formally merged. They are consolidated but by merging the line will go away.

**Jim Orton:** County Counsel, states there is provision that multiple lots can be used as a single site for a project and there is an agreement that will prevent a separate sale of the lot.

**Commissioner Rappa:** discusses the problem of the mass wall and states as more development occurs, the problem will not be seen.

**Commissioner Gibson:** states the walls should provide light and air between the two houses.

**John Pryor:** agent, the project is on an improved road that has addressed some of the drainage issues. States the applicant will collect rain runoff using a reversed frenchdrain at the base of the property. Discusses the footprint of site plan, and states they did not max out the area. States the project is a wing design not a box design. Refers to the height of the building. Shows overhead of other residents and the type of soil in the area.

**Commissioner Rappa:** asks the ratio of lot to footprint, with John Pryor responding that it is fewer than 50% for the building.

**Commissioner Gibson:** states it is common to issue a variance and support the project if all the concerns are met. He states the articulation is adequate. He discusses the change to condition 8b regarding drainage.

**The matter is fully discussed, and thereafter, on motion of Commissioner Gibson, seconded by Commissioner Rappa, and on the following roll call vote:**

**AYES:** Commissioners Gibson, Rappa, Christie, and Chairperson Mehlschau

**NOES:**

**ABSENT:** Commissioner Roos

the commission adopts the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and RESOLUTION NO. 2006-0014, granting a Variance/Coastal Development Permit to TOM DAVIS based on Findings in Exhibit A and Conditions in Exhibit B, with Condition 8b amended to read: *“proper design of drainage measures that will capture all runoff from above and runoff generated from the project itself as soon as possible, divert it away from graded slopes, and safely convey it in a measured, non-erosive manner to the street”*, adopted.

4. This is the time set for continued hearing to consider a request by **GARY AND SUZANNE WELLS** for a Vesting Tentative Tract Map/Conditional Use Permit (Tract 2766) to convert six rental units into individual condominium units for sale by subdividing an existing approximately 10,500 square foot parcel into six parcels ranging in size from 788 square feet to 902 square feet. The proposed project is within the Residential Multi-Family land use category and is located on the north side of Beach Street (at 2445 Beach Street), in the community of Oceano. The site is in the San Luis Bay (Inland) planning area. This project is exempt under CEQA. **County File No: SUB2005-00038.** Assessor Parcel Number: 062,131,024. Supervisorial District: 4. Date Accepted: October 4, 2005.

**Chairman Mehlschau:** states he watched the DVD of the earlier meeting and can sit on this project.

**Kami Griffin:** gives staff report and states the project was continued to allow staff time to address the commissioners concerns regarding consistency with applicable county plans and ordinances, as well as affordable housing provisions for the project.

**Commissioner Christie:** comments on the nexus for requiring the applicant to provide affordable housing units. Asks about the number of rental units in the area, the impact of taking the apartments out of housing stock. Is concerned there is no benefit to the community except to the owners. Staff should require affordable housing and the findings are not adequate.

**Gary Wells:** applicant, addresses issue of map act regarding the density of the development. Regarding the rental market: they have waited up to 5 months to rent an apartment. He states that currently in the county there are 8 rental units in Oceano, 29 in Grover Beach, 34 in Arroyo Grande, there are over 70 units for rent in the area, half under \$1000. States there is no impact associated with converting the apartments to condo units. States if all 6 condos were sold, it would be a small impact to the available renters. Discusses Commissioner Christie's comment that there is no benefit to the community and states he feels there is a benefit to the community. Addresses the issue of affordable housing in the county.

**Commissioner Gibson:** asks what the rent and sale prices are for the condo units, with Mr. Wells responding \$750 to \$950 a month in rent. Not sure of the sale price. Will not sell the units for 5 to 7 years.

**Commissioner Rappa:** asks if he will sell the condos at what the market will bare, with Mr. Wells responding yes.

**Suzanne Wells:** applicant, refers to Government Code 66427.2 regarding condo conversion of existing structures and how it differs from new project standards. County does not have a condo conversion plan, and feels it would be inappropriate for the county to impose the affordable housing ordinance. Feels this project does not have an impact on the community.

**Commissioner Gibson:** has a concern with meeting the requirement of the land use ordinance. Does share Commissioner Christie's concerns regarding affordable housing, but not able to make the finding that affordable housing is required.

**Commissioner Christie:** discusses argument for affordable housing. Thanks applicant for researching the number of rental units on the market. Has a concern that there is no language regarding condo conversion in the Oceano Specific Plan.

**Commissioner Rappa:** supply and demand sets the rental rate. Conversion of older units can assist with affordable housing.

**The matter is fully discussed, and thereafter, on motion of Commissioner Rappa, seconded by Commissioner Gibson, and on the following roll call vote:**

**AYES: Commissioners Gibson, Rappa, and Chairperson Mehlschau**

**NOES: Commissioner Christie**

**ABSENT: Commissioner Roos**

**the commission approves RESOLUTION NO. 2006-00015, granting a Vesting Tentative Tract Map/Conditional Use Permit to GARY AND SUZANNE WELLS, based on Findings in Exhibit A and C, and Conditions in Exhibit B and D.**

5. This is the time set for hearing to consider a request by **STEVE TROESH** for a Conditional Use Permit to allow a commercial composting facility for the receiving and processing green material, other than that produced on-site. The project will result in the disturbance of less than 1,000 square feet of a 4-acre site. The proposed project is within the Commercial Service land use category and is located at 2290 Hutton Road, approximately 500 feet southwest of the intersection of Highway 166 and Highway 101. The site is in the South County (Inland) planning area. The Environmental Coordinator finds that the previously adopted Mitigated Negative Declaration for General Plan Amendment G020012T (ED 02-385) is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted. **County File No: DRC2004-00139.** Assessor Parcel Numbers: 090-302-006, 014 – 017. Supervisorial District: 4. Date Accepted: June 28, 2005.

**Brian Pedrotti:** gives staff report and shows overhead of the project. Staff recommends approval. He discusses the water source on the site. States the CDF and Environmental Health recommend the water supply not be through the existing on-site well, but provided by the Cuyama Lane Water District. Discusses revised condition 10 regarding the water issue.



**Commissioner Rappa:** is the Cuyama Lane Water District a private water district, with Mr. Pedrotti responding no, and that they have two choices, to join the existing Cuyama Water District or form their own water district.

**Robert Lewin:** CDF, it was discovered there was an existing water company in that area. If the county allows private wells the Cuyama Water District will never grow. CDF is supportive of this project if they join Cuyama Water District.

**Commissioner Rappa:** some small water companies will not let others join. States a water tank is a better alternative

**Robert Lewin:** CDF, if the applicants choose to have their own water system and tank, he hopes when new development happens around them, the new developer's will join the applicant in using the water system and tank.

**Commissioner Christie:** what is the difference having their own water system and tank, or calling themselves a water district. There is no requirement that this water system has to serve other developments.

**Robert Lewin:** CDF, private tanks are not maintained and there would be less of a visual impact on the area.

**Commissioner Gibson:** can the commission require future developments join other water districts in the area.

**Kami Griffin:** Planning Staff, if the water district was valid, the county would condition the development to join the created water district.

**Robert Lewin:** CDF, discusses change to condition 10 on Page 8.

**Ms. Troesh:** agrees with the conditions. Speaks on her concerns with the water district requirement. She states they will work with Cuyama Water District to better serve the area. States she is here to answer questions.

**Chairman Mehlschau:** asks how the material will be handled after it is chipped.

**Ms. Troesh:** states they will move material as soon as it is chipped.

**The matter is fully discussed, and thereafter, on motion of Commissioner Rappa, seconded by Commissioner Gibson, and on the following roll call vote:**

<b>AYES:</b>	<b>Commissioners Rappa, Gibson, Christie, and Chairperson Mehlschau</b>
<b>NOES:</b>	
<b>ABSENT:</b>	<b>Commissioner Roos</b>

the commission relies on the Negative Declaration that was previously adopted, and **RESOLUTION NO. 2006-0016**, granting a Conditional Use Permit DRC2004-OO139, to **STEVE TROESH** based on Findings in Exhibit A and Conditions in Exhibit B, with new **Condition 10** added to read: *Prior to occupancy or establishment of the use, the applicant shall join the existing Cuyama Water Company unless that is infeasible, in which case, adequate fire flows shall be provided based on CDF*", and renumbered, adopted.

6. This is the time set for continued hearing to consider a request by **RICK CENTNER** for a Conditional Use Permit to allow a phased commercial development including Phase 1) a 30,000 square foot vehicle storage area, four shell buildings totalling 6,500 square feet, 400 square feet of office, and a 1,225 square foot caretaker's unit; Phase 2) two additional shell buildings totalling 3,250 square feet, 32 parking spaces, and removal of the vehicle storage area; and Phase 3) four additional shell buildings totalling 7,000 square feet and 40 additional parking spaces. The project will result in the disturbance of the entire 1.12 acre parcel in the first phase of development. The proposed project is in the Commercial Services land use category and is located at 538 Sandydale Drive, on the southeast portion of the intersection of Sandydale Drive and Briarwood Lane, in the community of Nipomo. The site is in the South County Inland planning area. Also to be considered at the hearing will be approval of the Negative Declaration prepared for the item pursuant to the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address Aesthetics, Air Quality, Geology and Soils, Noise, Public Services/Utilities, Transportation/Circulation, Wastewater, and Water. **County File Number: D020184D. Assessor Parcel Number: 091-326-051. Supervisorial District: 4. Date Accepted: February 3, 2005.**

**Brian Pedrotti:** Planning Staff, gives staff report. Staff recommends approval. States condition 4c is amended, and the addition of a new condition 4d. Comments on the additional items commission requested staff research; fuel tank storage, upper storage yard.

**Commissioner Mehlschau:** asks if there is a condition regarding the paving of the storage area.

**Brian Pedrotti:** Planning Staff, states the mitigation includes dust control on site. At this time there is no condition that the area be paved.

**Commissioner Mehlschau:** will the project be fenced and will it hide the storage area?

**Brain Pedrotti:** Planning Staff, yes, with a 6-foot fence.

**Commissioner Gibson:** what are the use restrictions on the remaining property?

**Brain Pedrotti:** Planning Staff, states the area will be used for storage during Phase 1. Phase 2 there will be construction of parking lot and the storage area would shrink, and Phase 3 there will not be a storage area.

**Commissioner Gibson:** discusses mason wall to be constructed between outdoor storage area and the adjacent landowner.

**Brian Pedrotti:** Planning Staff, states Condition 4b covers the storage concern.

**Commissioner Rappa:** asks if fencing will be part of Phase 1, with staff responding yes.

**Commissioner Christie:** discusses code enforcement violation. Is there a condition or findings showing that the violations will not occur and that illegal issues have been taken care of. Is the tree service an allowable use in the land use category.

**Brain Pedrotti:** Planning Department, states there are no current code violations. The concerns regarding vehicle repair, storage of item, non-permitted residence on site have been resolved. Tree service is an allowed use, but the processing of green material is not allowed. Vehicle storage is allowed, but vehicle repair is not allowed.

**Terry Orton:** Westland Engineering, they have complied with many of the concerns. Discusses landscaping and states the entrance was moved to make it easier for auto's entering. Agrees with the changes.

**Commissioner Mehlschau:** will the parking area be paved.

**Terry Orton:** Westland Engineering, states they would not want to pave any area that will become a building site later.

**Commissioner Christie:** ask if the concern is regarding dust? Maybe they can use a different material to allow it to percolate.

**Kami Griffin:** discusses paving issues and amending condition 4e to address the issue and new condition 1d regarding fuel storage.

**The matter is fully discussed, and thereafter, on motion of Commissioner Gibson, seconded by Commissioner Christie, and on the following roll call vote:**

**AYES:** Commissioners Gibson, Christie, Rappa, and Chairperson Mehlschau

**NOES:**

**ABSENT:** Commissioner Roos

the commission adopts the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and RESOLUTION NO. 2006-0017, granting a Conditional Use Permit to RICK CENTNER based on Findings in Exhibit A and Conditions in Exhibit B, with new Condition 1d added to read: *"No fuel storage shall be allowed"*; Condition 4c amended to read: *"A final landscaping plan in accordance with Section 22.16 of the LUO for review and approval by the Department of Planning and Building"*; new Condition 4c added to read: *"A final landscaping plan in accordance with Section 22.16 of the LUO for review and approval by the Department of Planning and Building"* Condition 4d added to read: *"Revised building elevations for the caretaker/office building to be consistent with the architectural rendering in Exhibit A and include stucco or hardiplank siding, a pitched composition shingle roof, front porch elements on the north and west sides of the building, and a picket-style fence no more than 3 feet in height as shown"*; Condition 4e added to read: *"The applicant shall surface the vehicle parking area with pavement. The remaining undeveloped portions of the site shall be surfaced with crushed rock, oiled earth, or other to maintain it in a dust free condition"*, adopted.

Thereafter, on motion by Commissioner Christie, seconded by Commissioner Gibson, and carried, in the absence of Commissioner Roos, the Commission receives all documents presented today for the record.

There being no further business, the meeting is adjourned at 12:30.

Respectfully submitted,

Eleanor Porter, Secretary  
County Planning Commission